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3 Eastern District of Washington
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9
10 UNITED STATES DISTRICT COURT
11 FOR THE EASTERN DISTRICT OF WASHINGTON
12

13 UNITED STATES OF AMERICA,

1:24-CR-02007-SAB-2

14 Plaintiff,

UNITED STATES MOTION TO
DISMISS INDICTMENT AS TO
DEFENDANT GERMAIN REYNA
SUACEDO

15 vs.

16 GERMAIN REYNA SAUCEDO,

17 Defendant.

Without Oral Argument

October 30, 2024 – 6:30 p.m.

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20 Plaintiff, United States of America, by and through Vanessa R. Waldref,
21 United States Attorney for the Eastern District of Washington, and Michael D.
22 Murphy, Assistant United States Attorney for the Eastern District of Washington,
23 hereby moves for dismissal of the Indictment in this case as to Defendant Germain
24 Reyna Saucedo. On February 13, 2024, an Indictment was filed charging the
25 Defendant Germain Reyna Saucedo and his co-Defendant, Jesus Eleazar Birrueta
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1 Mendoza, with a single count of Possession with Intent to Distribute 50 Grams or
2 More of Actual (Pure) Methamphetamine, in violation of 21 U.S.C. 841(a)(1),
3 (b)(1)(A)(viii). (ECF No. 38).
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5 Pursuant to Fed. R. Crim. P. 48(a), “the government may, with leave of the
6 court, dismiss an indictment. The prosecutor is ‘the first and presumptively the
7 best judge of whether a pending prosecution should be terminated.’ *United States*
8 *v. Wallace*, 848 F.2d 1464, 1468 (9th Cir. 1988)(quoting *United States v. Cowan*,
9 524 F.2d 504, 513 (5th Cir. 1975)). The government hereby moves pursuant to
10 Fed. R. Crim. P. 48(a) to dismiss the indictment without prejudice as to Defendant
11 Germain Reyna Saucedo, only. Counsel for the Defendant Germain Reyna
12 Saucedo, James D. Kirkham, Esq., does not object to the instant motion.
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16 DATED this 22nd day of October, 2024.

17 VANESSA R. WALDREF
18 United States Attorney
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20 s/ Michael D. Murphy
21 MICHAEL D. MURPHY
22 Assistant United States Attorney
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1 I hereby certify that on October 22, 2024 I electronically filed the foregoing
2 with the Clerk of the Court using the CM/ECF System which will send notification
3 of such filing to the counsel of record in this case.
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5
6 s/Michael D. Murphy
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